

JOURNAL OF THE HOUSE

SECOND REGULAR SESSION, 90th GENERAL ASSEMBLY

THIRTY-NINTH DAY, MONDAY, MARCH 13, 2000

Speaker Pro Tem Kreider in the Chair.

Prayer by Reverend Rudy Beard.

Creator God, we know of no better way to begin the work of another week than by rededicating our lives and energy to Your service. Help the men and women of the House, and those who work alongside them in the staff, to do their best for Missouri.

Bless their efforts on behalf of those whose needs are great, children, prisoners, the poor and the ill; so that by serving others they may know they serve You, the author and giver of all life.

You are the Hope of all; and to You be all glory and honor, forever. Amen.

The Pledge of Allegiance to the flag was recited.

The Journal of the thirty-eighth day was approved as corrected by the following vote:

AYES: 082

Abel	Auer	Backer	Barry 100	Berkowitz
Bonner	Boucher 48	Boykins	Bray 84	Britt
Campbell	Clayton	Crump	Curls	Davis 122
Davis 63	Days	Dougherty	Farnen	Fitzwater
Foley	Ford	Franklin	Fraser	Gambaro
George	Graham 24	Gratz	Green	Gunn
Hagan-Harrell	Hampton	Harlan	Hickey	Hilgemann
Hollingsworth	Hoppe	Hosmer	Kelly 27	Kennedy
Kissell	Koller	Kreider	Lakin	Lawson
Leake	Liese	Luetkenhaus	May 108	McBride
McKenna	McLuckie	Merideth	Monaco	Murray
O'Connor	O'Toole	Overschmidt	Parker	Ransdall
Relford	Reynolds	Riley	Rizzo	Scheve
Schilling	Seigfreid	Selby	Shelton	Skaggs
Smith	Thompson	Treadway	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Mr. Speaker			

NOES: 070

Akin	Ballard	Barnett	Bartle	Bennett
Berkstresser	Black	Blunt	Boatright	Burton
Champion	Chrismer	Cierpiot	Crawford	Dolan
Elliott	Enz	Evans	Foster	Froelker
Gaskill	Gibbons	Graham 106	Griesheimer	Gross
Hanaway	Hartzler 123	Hartzler 124	Hegeman	Hendrickson
Hohulin	Holand	Howerton	Kelley 47	King
Klindt	Legan	Levin	Linton	Lograsso
Long	Loudon	Luetkemeyer	Marble	McClelland
Miller	Murphy	Myers	Naeger	Ostmann

Patek	Phillips	Pouche 30	Pryor	Purgason
Reinhart	Richardson	Ridgeway	Robirds	Ross
Sallee	Schwab	Scott	Shields	Summers
Surface	Townley	Tudor	Vogel	Wright

PRESENT: 001

Reid

ABSENT WITH LEAVE: 008

Alter	Bartelsmeyer	Kasten	Mays 50	Nordwald
Secrest	Stokan	Troupe		

VACANCIES: 002

RESOLUTION

Representatives Days, Foley, George, Green, Gunn, Murray, O'Connor, Reynolds and Thompson offered House Resolution No. 550.

HOUSE COURTESY RESOLUTIONS OFFERED AND ISSUED

House Resolution No. 516 - Representative Williams (121)
House Resolution No. 517
through
House Resolution No. 528 - Representative Murphy
House Resolution No. 529 - Representatives Enz and Hendrickson
House Resolution No. 530
through
House Resolution No. 547 - Representative Murphy
House Resolution No. 548 - Representative Wiggins
House Resolution No. 549 - Representative Townley
House Resolution No. 551 - Representative Hegeman

SECOND READING OF HOUSE BILLS

HB 2117 through **HB 2124** were read the second time.

COMMITTEE REPORT

Committee on Rules, Joint Rules and Bills Perfected and Printed, Chairman Crump reporting:

Mr. Speaker: Your Committee on Rules, Joint Rules and Bills Perfected and Printed, to which was referred (By Consent) **HB 1808** and **HB 1077**, begs leave to report it has examined the same and finds them to be truly perfected and that the printed copies thereof furnished the members are correct.

PERFECTION OF HOUSE BILL

HB 1615, with House Amendment No. 8 and HS, as amended, pending, relating to protection of the elderly, was taken up by Representative Hosmer.

House Amendment No. 8 was withdrawn.

Representative Richardson offered **House Amendment No. 8**.

House Amendment No. 8

AMEND House Substitute for House Bill No. 1615, Page 11, Section 187.075, Line 18, by inserting after the word “official,” the words **“concerned citizen”**; and

Further amend said bill, Page 11, Line 20, by inserting after the word “an” the following: **“individual residing in their home or residence has been abused or neglected or an”**; and

Further amend said bill, Page 12, Line 7, by inserting after the words “the in-home services client” the following: **“or the individual residing in their own home or residence”**; and

Further amend said bill, Page 12, Line 12, by inserting after the word “an” the following: **“individual residing in their home or residence or an”**; and

Further amend said bill, Page 12, Line 18, by inserting after the word “an” the following: **“individual residing in their home or residence or an”**; and

Further amend said bill, Page 12, Line 23, by inserting after the word “the” the following: **“individual residing in their own home or residence or the”**; and

Further amend said bill, Page 13, Line 2, at the beginning of said line, by inserting the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Page 13, Line 10, by inserting after the word “an” the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Page 13, Line 21, by inserting after the word “an” the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Page 14, Line 11, by inserting after the word “an” the following: **“individual residing in their home or residence or the”**; and

Further amend said bill, Section 187.078, Page 14, Line 15, by inserting after the word “an” the following: **“individual residing in their own home or residence or an”**; and

Further amend said bill, Page 14, Line 22, at the beginning of said line, by adding the following: **“an individual residing in their own home or residence,”**; and

Further amend said bill, Page 15, Subsection 3, Line 2, after the word “the” by inserting the following: **“individual providing care of an individual sixty years of age or older residing in their own home or residence,”**; and

Further amend said bill, Page 15, Line 3, after the words “diverts from the” by inserting the following: “**individual residing in their home or residence or**”; and

Further amend said bill, Page 15, Line 4, by inserting after the word “funds” the following: “**of an individual residing in their home or residence or an in-home service client**”.

On motion of Representative Richardson, **House Amendment No. 8** was adopted.

Representative Hanaway offered **House Amendment No. 9**.

House Amendment No. 9 was withdrawn.

Representative Hanaway offered **House Amendment No. 9**.

House Amendment No. 9

AMEND House Substitute for House Bill No. 1615, Page 5, Section 187.020.1, Line 1, by inserting after the words “resident intern” the words “nurse practitioners, physicians’ assistants,”.

On motion of Representative Hanaway, **House Amendment No. 9** was adopted.

Representative Kelley (47) offered **House Amendment No. 10**.

House Amendment No. 10

AMEND House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 7, by deleting the word “**four**” and inserting in lieu thereof the following: “**twenty-five hundred**”; and

Further amend House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 11, by deleting the word “**six**” and inserting in lieu thereof the following: “**four**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**four**” and inserting in lieu thereof the following: “**twenty-five hundred**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**six**” and inserting in lieu thereof the following: “**four**”.

Representative Naeger offered **House Substitute Amendment No. 1 for House Amendment No. 10**.

House Substitute Amendment No. 1

for

House Amendment No. 10

AMEND House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 7, by deleting the word “**four**” and inserting in lieu thereof the following: “**five thousand**”; and

Further amend House Substitute for House Bill No. 1615, Page 53, Section 208.010, Line 11, by deleting the word “**six**” and inserting in lieu thereof the following: “**seven**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**four**” and inserting in lieu thereof the following: “**five thousand**”; and

Further amend House Substitute for House Bill No. 1615, Page 70, Section 208.151, Line 14, by deleting the following: “**six**” and inserting in lieu thereof the following: “**seven**”.

On motion of Representative Naeger, **House Substitute Amendment No. 1 for House Amendment No. 10** was adopted by the following vote:

AYES: 148

Abel	Akin	Auer	Backer	Ballard
Barnett	Barry 100	Bartelsmeyer	Bartle	Bennett
Berkowitz	Berkstresser	Black	Blunt	Boatright
Bonner	Boucher 48	Boykins	Bray 84	Britt
Burton	Campbell	Champion	Cierpiot	Clayton
Crawford	Crump	Curls	Davis 122	Davis 63
Days	Dolan	Dougherty	Elliott	Enz
Evans	Farnen	Fitzwater	Foley	Ford
Foster	Franklin	Fraser	Froelker	Gambara
Gaskill	George	Gibbons	Graham 106	Graham 24
Gratz	Green	Griesheimer	Gross	Gunn
Hampton	Hanaway	Harlan	Hartzler 123	Hartzler 124
Hegeman	Hendrickson	Hickey	Hilgemann	Hohulin
Holand	Hollingsworth	Hoppe	Hosmer	Howerton
Kelley 47	Kelly 27	Kennedy	King	Kissell
Klindt	Koller	Kreider	Lakin	Lawson
Leake	Legan	Levin	Liese	Lograsso
Long	Loudon	Luetkemeyer	Luetkenhaus	Marble
May 108	McBride	McKenna	McLuckie	Merideth
Miller	Monaco	Murphy	Murray	Myers
Naeger	O'Connor	O'Toole	Ostmann	Overschmidt
Parker	Patek	Phillips	Pouche 30	Pryor
Purgason	Ransdall	Reid	Reinhart	Relford
Reynolds	Richardson	Ridgeway	Rizzo	Robirds
Ross	Sallee	Scheve	Schilling	Schwab
Scott	Seigfreid	Selby	Shelton	Shields
Skaggs	Smith	Summers	Surface	Thompson
Townley	Treadway	Tudor	Van Zandt	Wagner
Ward	Wiggins	Williams 121	Williams 159	Wilson 25
Wilson 42	Wright	Mr. Speaker		

NOES: 001

Hagan-Harrell

PRESENT: 001

Riley

ABSENT WITH LEAVE: 011

Alter	Chrismer	Kasten	Linton	Mays 50
McClelland	Nordwald	Secrest	Stokan	Troupe
Vogel				

VACANCIES: 002

Representative Kelly (27) offered **House Amendment No. 11**.

House Amendment No. 11

AMEND House Substitute for House Bill No. 1615, Page 7, Section 187.020, Line 6, by inserting after the figure "187.087" found on said line the following:

“, provided that

(1) the information pursuant to 187.020.2 and 187.020.6, RSMo, shall be reported to any person with durable power of attorney or with legal guardianship for the resident who is the subject of the complaint and investigation; and

(2) such information shall not be reported to any person pursuant to (1) of this subsection if such person is the alleged perpetrator of the abuse or neglect.”.

On motion of Representative Kelly (27), **House Amendment No. 11** was adopted.

Representative Patek offered **House Amendment No. 12**.

House Amendment No. 12 was withdrawn.

Representative Backer offered **House Amendment No. 12**.

House Amendment No. 12

AMEND House Substitute for House Bill No. 1615, Page 86, Section 208.152, Line 19, by adding a new subsection 11 to read as follows:

11. The department of social services shall, in connection with medical assistance provided for in section 208.152.1(4), RSMo, make payment through rates determined in accordance with methods and standards developed by the department of social services which take into account the costs, including the costs of services required to attain or maintain the highest practicable physical, mental and psycho social well-being of each resident eligible for benefits under the Missouri Medicaid program, of complying with subsection’s (b) (other than paragraph (3)(F) thereof), (c) and(d) of 42 U.S.C. § 1396r(b), (c) and(d) and provide (in the case of a nursing facility with a waiver under 42 U.S.C. § 1396r(b)(4)(C)(ii) for an appropriate reduction to take into account the lower costs (if any) of the facility for nursing care and which the division of medical services finds, and makes assurances satisfactory to the director of the department of social services, are reasonable and adequate to meet the costs which must be incurred by efficiently and economically operated facilities in order to provide care and services in conformity with applicable state and federal laws, regulations, and quality and safety standards.

On motion of Representative Backer, **House Amendment No. 12** was adopted.

HB 1615, with HS, as amended, pending, was laid over.

PERFECTION OF HOUSE BILLS - INFORMAL

HCS HB 1362, with HS, as amended, pending, relating to health insurance, was taken up and placed back on the Informal Calendar.

HCS HB 1602, as amended, relating to livestock sales regulations, was taken up and placed back on the Informal Calendar.

REFERRAL OF HOUSE BILLS

The following House Bills were referred to the Committee indicated:

HB 2013 - Public Health

HB 2110 - Criminal Law

COMMITTEE REPORT

Committee on Civil and Administrative Law, Chairman Smith reporting:

Mr. Speaker: Your Committee on Civil and Administrative Law, to which was referred **HB 1718**, begs leave to report it has examined the same and recommends that the **House Committee Substitute Do Pass**.

INTRODUCTION OF HOUSE BILLS

The following House Bills were read the first time and copies ordered printed:

HB 2125, introduced by Representative Selby, relating to comprehensive psychiatric services.

HB 2126, introduced by Representative Kelly (27), relating to crime victims' compensation.

HB 2127, introduced by Representative Kelly (27), relating to one hundred twenty day probation.

HB 2128, introduced by Representative Skaggs, relating to certificate of need.

HB 2129, introduced by Representatives McLuckie and Bray, relating to the promotion of energy efficiency.

ADJOURNMENT

On motion of Representative Foley, the House adjourned until 10:00 a.m., Tuesday, March 14, 2000.

CORRECTION TO THE HOUSE JOURNAL

Correct House Journal, Thirty-eighth Day, Thursday, March 9, 2000, pages 534 and 535, roll call, by showing Representative Barnett voting "no" rather than "absent with leave".

COMMITTEE MEETINGS

APPROPRIATIONS - GENERAL ADMINISTRATION

Tuesday, March 14, 2000. Hearing Room 7 upon morning adjournment.

To be considered - HB 1113

CIVIL AND ADMINISTRATIVE LAW

Wednesday, March 15, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 1935, Executive Session - HB 1646

COMMERCE

Tuesday, March 14, 2000. Hearing Room 5 upon morning adjournment.

Executive Session may follow.

To be considered - HB 1945, HB 2036, HB 2087

CORRECTIONAL AND STATE INSTITUTIONS

Tuesday, March 14, 2000, 8:00 pm. Hearing Room 7.

Executive Session may follow.

To be considered - HB 2055, HCR 21

FISCAL REVIEW

Tuesday, March 14, 2000, 8:30 am. Hearing Room 7.

Executive Session.

To be considered - HB 1076, HB 1566

GOVERNMENTAL ORGANIZATION AND REVIEW

Wednesday, March 15, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1218, HB 2092

INSURANCE

Tuesday, March 14, 2000, 8:30 am. Hearing Room 5.

To be considered - HB 1874

MISSOURI TOBACCO SETTLEMENT

Wednesday, March 15, 2000, 8:30 am. Hearing Room 7.

To be considered - SB 549

MOTOR VEHICLE AND TRAFFIC REGULATIONS

Tuesday, March 14, 2000. Hearing Room 1 upon morning adjournment.

To be considered - HB 2034, HB 2056

SOCIAL SERVICES, MEDICAID AND THE ELDERLY

Tuesday, March 14, 2000, 7:30 pm. Hearing Room 6.

Possible Executive Session to follow.

To be considered - HB 2070, HB 2075

TRANSPORTATION

Wednesday, March 15, 2000. Hearing Room 6 upon morning adjournment.

Executive Session to follow.

To be considered - HB 2102, HCR 18

URBAN AFFAIRS

Tuesday, March 14, 2000, 8:00 pm. Hearing Room 4.

AMENDED NOTICE.

To be considered - HB 1846, HB 2114

WAYS AND MEANS

Tuesday, March 14, 2000, 1:00 pm. Hearing Room 6.

Executive Session.

HOUSE CALENDAR

FORTIETH DAY, TUESDAY, MARCH 14, 2000

HOUSE BILLS FOR SECOND READING

HB 2125 through HB 2129

HOUSE JOINT RESOLUTION FOR PERFECTION

HJR 40 - Graham (24)

HOUSE BILLS FOR PERFECTION - APPROPRIATIONS

- 1 HCS HB 1101 - Green
- 2 HCS HB 1102 - Lakin
- 3 HCS HB 1103 - Lakin
- 4 HCS HB 1104 - Green
- 5 HCS HB 1105 - Green
- 6 HCS HB 1106 - Scheve
- 7 HCS HB 1107 - Scheve
- 8 HCS HB 1108 - Lakin
- 9 HCS HB 1109 - Troupe
- 10 HCS HB 1110 - Riback Wilson (25)
- 11 HCS HB 1111 - Troupe
- 12 HCS HB 1112 - Green

HOUSE BILLS FOR PERFECTION

- 1 HB 1615, HS, as amended, pending - Hosmer
- 2 HCS HB 1172, 1501, 1633, 1440, 1634, 1177 & 1430 - Davis (122)
- 3 HB 1238 - Hoppe
- 4 HCS HB 1242 - Treadway
- 5 HB 1472 - Smith
- 6 HCS HB 1434 - Skaggs

- 7 HCS HB 1481 - Smith
- 8 HCS HB 1305 - Rizzo
- 9 HCS HB 1574 & 1640 - Britt
- 10 HCS HB 1677, 1675 & 1676 - Riback Wilson (25)
- 11 HCS HB 1652 & 1433 - Hoppe
- 12 HB 1603, HCA 1 and HCA 2 - O'Connor
- 13 HCS HB 1711 - Abel
- 14 HCS HB 1797 - Gratz
- 15 HCS HB 1569 - Bray
- 16 HCS HB 1932 - Harlan
- 17 HCS HB 1967 - Hoppe
- 18 HB 1728, HCA 1 - Backer

HOUSE BILLS FOR PERFECTION - INFORMAL

- 1 HCS HB 1362, HS, as amended, pending - Harlan
- 2 HCS HB 1602, as amended - Leake
- 3 HCS HB 1143, as amended - Scheve

HOUSE BILLS FOR PERFECTION - CONSENT

(March 7, 2000)

- 1 HB 1499 - Hoppe
- 2 HB 1647 - Skaggs
- 3 HB 1631 - Hoppe
- 4 HB 1841 - Kreider
- 5 HB 1579 - Hoppe

HOUSE BILLS FOR THIRD READING

- 1 HS HCS HB 1566 & 1810, E.C., (Fiscal Review, 3-8-00) - Bray
- 2 HCS HB 1386 & 1086 - Britt
- 3 HS HCS HB 1076, E.C., (Fiscal Review, 3-8-00) - Relford

HOUSE BILLS FOR THIRD READING - CONSENT

- 1 HB 1085 - Selby
- 2 HB 1396 - Farnen
- 3 HB 1097 - Hosmer
- 4 HB 1289 - Auer
- 5 HB 1335 - Scheve
- 6 HB 1848 - Treadway
- 7 HB 1923, E.C. - Ransdall
- 8 HB 1875 - Franklin
- 9 HB 1802 - Monaco
- 10 HB 1544 - Smith
- 11 HB 1591 - Backer

- 12 HB 1739 - Auer
- 13 HB 1486 - Abel
- 14 HB 1509 - Hosmer
- 15 HB 1374 - Graham (24)
- 16 HB 1465 - Ransdall
- 17 HB 1706 - Gambaro
- 18 HB 1428 - Hickey
- 19 HB 1454 - Hoppe
- 20 HB 1604 - Graham (106)
- 21 HB 1568 - Riback Wilson (25)
- 22 HB 1596 - Auer
- 23 HB 1685 - Smith
- 24 HB 1948 - Gratz
- 25 HB 1825 - Klindt
- 26 HB 1077 - Relford
- 27 HB 1808 - O'Toole

HOUSE RESOLUTION

HR 91, (2-24-00, pgs. 397 & 398) - Crawford